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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/051,353	01/18/2002	Jonathan S. Black	9198.00	9276
26889	7590	09/24/2007		
MICHAEL CHAN NCR CORPORATION 1700 SOUTH PATTERSON BLVD DAYTON, OH 45479-0001			EXAMINER WEIS, SAMUEL	
			ART UNIT 3691	PAPER NUMBER
			MAIL DATE 09/24/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/051,353	Applicant(s) BLACK ET AL.	
	Examiner Samuel S. Weis	Art Unit 3691	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 July 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-23 are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This communication is in response to Applicants' amendment filed on July 5, 2007. Claims 1, 6-10, 12-15, and 20-23 have been amended. In view of Applicants' claim amendments, the election to one of the following inventions is deemed necessary. The restrictions are as stated below:

#### ***Election/Restrictions***

2. Restriction to one of the following inventions is required under 35 U.S.C. 121:

**Group 1:** Claims 1-6 and 9 are drawn to a method of operating and a self-service terminal.

**Group 2:** Claims 7 and 13 are drawn to a method of operating and a self-service terminal.

**Group 3:** Claims 8 and 14 are drawn a method of determining financial terms for a vehicle.

**Group 4:** Claims 10-12 are drawn a self-service terminal.

**Group 5:** Claims 15-19 are drawn an automated teller machine.

**Group 6:** Claims 20 and 23 are drawn an automated teller machine.

**Group 7:** Claim 21 is drawn an automated teller machine.

**Group 8:** Claims 22 is drawn an automated teller machine.

The inventions are distinct, each from the other because Inventions 1-8 are related as subcombinations disclosed as usable together in a single combination. The

Art Unit: 3691

subcombinations are distinct from each other if they are shown to be separately usable.

In the instant case, each invention has separate utility (See MPEP § 806.05d),

specifically demonstrated as follows:

- |              |   |
|--------------|---|
| Invention 1: | configuring an SST user interface to accommodate device capabilities and user preferences.  |
| Invention 2: | retrieving a user profile associated with the identity.   |
| Invention 3: | detecting a characteristic of a mobile computing device in the vicinity of an SST while the SST is interacting with a third party also in the vicinity of the SST.  |
| Invention 4: | means for detecting at least one characteristic relating to information display capabilities of a mobile computing device in the vicinity of the self-service terminal.   |
| Invention 5: | means for configuring the ATM customer interface based upon the device capabilities and user preferences of the mobile computing device.  |
| Invention 6: | means for detecting selected information capabilities of a mobile computing device in the vicinity of the ATM.  |
| Invention 7: | means for selecting features of the ATM customer interface to be presented to the ATM customer based upon the retrieved customer profile so that choices and options are presented to the user based on user preferences as indicated in the customer profile.                                      |
| Invention 8: | means for determining the configuration of the ATM customer interface to be presented to an ATM customer based upon the detected characteristic of the mobile computing device in the vicinity of the ATM so as to accommodate the information display capabilities of the mobile computing device. |

Art Unit: 3691

Because these inventions are distinct for being separately usable, as shown above, examining the inventions together would require searching for a reference teaching the unique element(s) of each invention that are not found in the remaining Inventions. This would be quite burdensome, requiring multiple searches, and thus the restriction for examination purposes, as indicated, is proper.

3. Applicants are advised that the response to this requirement to be complete must include an election of one of the Inventions 1-8 to be examined even though the requirement be traversed.

4. Applicants are reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 C.F.R. § 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a diligently-filed petition under 37 C.F.R. § 1.48(b) and by the fee required under 37 C.F.R. § 1.17(h).

5. A shortened statutory period for response to this action is set to expire **0 (zero) months and 30 (thirty) days** from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the application (see 35 U.S.C. 133, M.P.E.P. 710.02, 710.02(b)).

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samuel S. Weis whose telephone number is (571) 272-1882. The examiner can normally be reached on 8:30 to 5:00, Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
**LALITA M. HAMILTON**  
**PRIMARY EXAMINER**

Samuel S. Weis

